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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/020,554
Filing Date	12/03/2001
First Named Inventor	Pham et al.
Group Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	AESN3006

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ORIGINALLY FILED

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☒ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

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AUG 06 2002

Technology Center 2100

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Gerald B. Rosenberg (Reg. No.: 30,320)
Signature	
Date	07/26/2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

July 26, 2002

Typed or printed name	Gerald B. Rosenberg		
Signature		Date	07/26/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#2  
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Patent Application

PATENT APPLICATION

Inventor(s): Pham et al.  
SC/Serial No.: 10/020,554  
Filed: 12/03/2001  
Title: SCALABLE NETWORK MEDIA ACCESS  
CONTROLLER AND METHODS

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POWER OF ATTORNEY BY ASSIGNEE UNDER 37 C.F.R. §§3.71, 3.73(b)

AUG 06 2002

Technology Center 2100

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The below-identified Assignee hereby appoints Gerald B. Rosenberg, Reg. No. 30,320 to prosecute this application and transact all business in the United States Patent & Trademark Office connected therewith; said appointment to be to the exclusion of any and all inventors and their attorneys in accordance with the provisions of 37 C.F.R. §3.71.

Pursuant to 37 C.F.R. §3.71(b), the undersigned certifies that Assignee is the owner of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors to Assignees and that:

\_\_\_\_ The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_  
\_\_\_\_, Frames \_\_\_\_.

X A true copy of the assignment is attached hereto, the original of which has been, or is  
herewith, forwarded to the United States Patent and Trademark Office for recording.

The assignment has been reviewed and to the best of the undersigned's knowledge and belief, title to the above-identified patent application is in the Assignee. The undersigned, whose title is supplied below, is empowered to sign this certification on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please address all correspondence to:

Gerald B. Rosenberg  
NewTechLaw  
285 Hamilton Avenue, Suite 520  
Palo Alto, California 94301

Telephone: 650.325.2100  
Facsimile: 650.325.2107  
E-Mail: gbr@newtechlaw.com



23488

PATENT TRADEMARK OFFICE

Assignee: Vormetric, Inc.  
Assignee Type: Corporation (Corporation, Partnership, etc.)  
Signor's Name: Duc Pham  
Signor's Title: Executive Vice President (Corporate Office or Position)

Signature:

Duc Pham

Date: July 11, 02

## JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned (hereinafter the "Inventors"),

- |                    |                   |
|--------------------|-------------------|
| (1) Duc Pham       | (2) Nam Pham      |
| (3) Tien Le Nguyen | (4) Pu Paul Zhang |

respectively, have invented certain new and useful improvements in:

### SCALABLE NETWORK MEDIA ACCESS CONTROLLER AND METHODS

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

1. \_\_\_\_\_ (1) On \_\_\_\_\_; (2) On \_\_\_\_\_;  
(3) On \_\_\_\_\_; (4) On \_\_\_\_\_;  
(dates) respectively;

-- OR --

2.   X   Said application having SC/Serial Number 10/020,554 and  
filed on 12/3/2001.

WHEREAS Vormetric, Inc. (hereinafter the "Assignee"), a corporation of the State of Delaware having a place of business at 2060 Corporate Court, San Jose, State of California wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said

Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee on the date of acknowledgment before the Notary Public as given below.

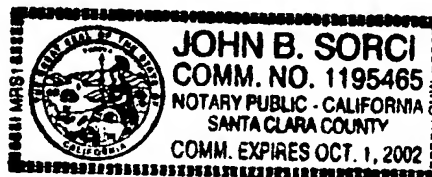
.....  
(1) Duc Pham  
Inventor's Signature: Duc Pham

State of California  
County of Santa Clara

On 9 July 2002 before me, JOHN B. SORCI  
(name and title of officer)  
personally appeared DUC PHAM, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature John B. Sorci



(2) Nam Pham  
Inventor's Signature: Nam Pham

State of California  
County of Santa Clara

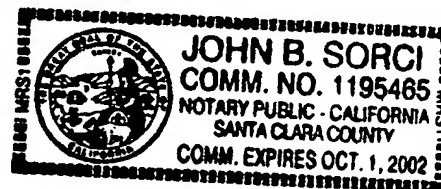
On 9 July 2002 before me, JOHN B. SORCI  
(name and title of officer)

personally appeared NAM PHAM, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

John B Sorci



(3) Tien Le Nguyen  
Inventor's Signature: Tien Le Nguyen

State of California  
County of Santa Clara

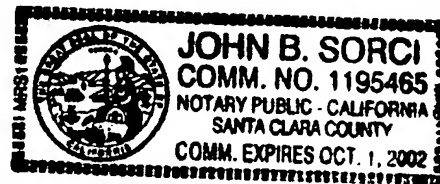
On 9 July 2002 before me, JOHN B. SORCI  
(name and title of officer)

personally appeared TIEN LE NGUYEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

John B Sorci



.....  
(4) 

Inventor's Signature: Pu Paul Zhang

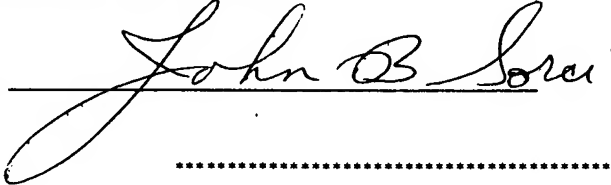
State of California

County of Santa Clara

On 9 July 02 before me, JOHN B. SORCI  
(name and title of officer)

personally appeared PU PAUL ZITANG, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies); and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature   
.....

